

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In re Matter of:	)	
	)	MM Docket No. 00-167
Children's Television Obligations of	)	
Digital Television Broadcasters	)	
_____	)	

To: The Commission

**COMMENTS OF THE ABC, CBS AND NBC AFFILIATES ASSOCIATIONS  
IN SUPPORT OF EXTENSION OF EFFECTIVE DATE**

On September 26, 2005, Viacom, The Walt Disney Company, NBC Universal and 4Kids Entertainment (collectively, the "Companies") filed a motion for extension of effective date or, in the alternative, petition for administrative stay in the above-captioned docket. The ABC Television Network Affiliates Association, the CBS Television Network Affiliates Association and the NBC Affiliates (collectively, "Network Affiliates"), by their attorneys, hereby file separately to express their support for an extension of the effective date of these rules and to point out that an extension of time in this docket is as important for local television stations and their audiences as it is for national television program producers.

The Network Affiliates represent some 600 television broadcast stations affiliated with the ABC, CBS and NBC networks. The changes to the Commission's rules implementing the Children's Television Act that will become effective on January 1, 2006, would have a dramatic impact on the operations of all of these stations. In particular, the new preemption rule adopted for both analog and digital broadcasting which will limit broadcasters' discretion to preempt children's programming and eliminate the "second home" alternative that has worked effectively for more than a decade, will provoke significant changes in how affiliates must program children's television. Particularly for

West Coast affiliates and those in Alaska and Hawaii, the conflict between high demand live Saturday sporting events and Saturday morning children's educational and informational television program blocks will create intractable logistical difficulties. The most dramatic example is that the new rules would preclude the sort of coverage of college football as well as coverage of the Olympic Games, Wimbledon, World Cup Soccer, the British Open and Ryder Cup golf tournaments that the public has come to expect and rely upon. From a public interest perspective, this conflict would best be resolved by retention of the existing second home scheduling alternative.

In addition, the new digital children's television rules requiring up to three hours of children's educational and information content for each free digital multicast channel will impose significant burdens upon affiliates of whom some 300-400 are now broadcasting full-time news, weather and other high demand programming on digital multicast streams, while others plan to launch such services soon. The unintended consequences of the new rules can be cured, consistent with the public interest in promoting children's programming, by making various rule adjustments proposed by the broadcast community.

The Companies, as well as the National Association of Broadcasters, have filed petitions for reconsideration of these, and other, aspects of the rules. The Network Affiliates believe it likely that in order to address the problems described above the Commission will refine its rules in response to those pending petitions for reconsideration. It would be highly disruptive to implement the new rules which contain these unintended defects, and it would also be disruptive to the child audience to put in to place new programming policies to comply with the new rules, only again to have to shift policies when the Commission refines its rules on reconsideration after January 1, 2006.

For these reasons, we urge the Commission to extend the effective date of the rules to a date certain after which it has ruled on the proposals raised in the petitions for reconsideration. This well-

reasoned procedure has become routine in recent years. An extension of the effective date will conserve significant Commission public and private-party resources and, most importantly, prevent disruption to the delicate balance of weekend children's and live sports programming which has served the public well for so many years.

Respectfully submitted,



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September 28, 2005

**CERTIFICATE OF SERVICE**

I, Dominic Barnett, do hereby certify that copies of the attached COMMENTS OF THE ABC, CBS AND NBC AFFILIATES ASSOCIATIONS IN SUPPORT OF EXTENSION OF EFFECTIVE DATE were served upon the following by depositing a copy thereof in the United States Mail, postage prepaid, and addressed as follows:

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